

BRANDON WYMS 1/4/2019

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1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF MISSOURI
3 EASTERN DIVISION
4
5 MALEEHA AHMAD, ET AL.,)
6 Plaintiffs,)
7 vs.) Case No. 4:17-CV-2455-CDP
8 CITY OF ST. LOUIS,)
9 MISSOURI,)
10 Defendant.)

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DEPOSITION OF BRANDON WYMS
TAKEN ON BEHALF OF THE PLAINTIFFS
JANUARY 4, 2019

Exhibit Q

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1	I N D E X		
2	WITNESSES		
3	ALL WITNESSES	PAGE	
4	For Plaintiffs		
5	BRANDON WYMS		
6	Examination by Mr. Rothert		5
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8	EXHIBITS		
9	NO.	DESCRIPTION	PAGE
10	Exhibit 1	Documentation to	
11		businesses damaged	
		downtown	13
12	Exhibit 2	Report documenting	
13		protests from	
		September 17, 2017	14
14			
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17	(Exhibits attached to transcript.)		
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6 Plaintiffs,)
7 vs.) Case No. 4:17-CV-2455-CDP
8 CITY OF ST. LOUIS,)
9 MISSOURI,)
10 Defendant.)

11

12

13 DEPOSITION OF WITNESS, BRANDON WYMS,
14 produced, sworn and examined on the 4th day of
15 January, 2019, between the hours of eight o'clock
16 in the forenoon and six o'clock in the afternoon of
17 that day, at the Office of the St. Louis City
18 Counselor, 1200 Market Street, City Hall, St.
19 Louis, Missouri, before Tara Schwake, a Registered
20 Professional Reporter, Certified Realtime Reporter,
21 Certified Shorthand Reporter (IL), Certified Court
22 Reporter (MO), and Notary Public within and for the
23 State of Missouri.

24

25

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1 APPEARANCES

2 FOR THE PLAINTIFFS:

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25

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1 IT IS HEREBY STIPULATED AND AGREED by
2 and between Counsel for Plaintiffs and Counsel for
3 Defendant that this deposition may be taken by Tara
4 Schwake, Notary Public and Certified Realtime
5 Reporter, thereafter transcribed into typewriting,
6 with the signature of the witness being expressly
7 reserved.

8 BRANDON WYMS,
9 of lawful age, having been produced, sworn, and
10 examined on the part of Plaintiffs, testified as
11 follows:

12 * * * * *

13 (Deposition commenced at 2:51 p.m.)

14 (Exhibits 1 and 2 marked for
15 identification by the court reporter.)

16 EXAMINATION

17 QUESTIONS BY MR. ROTHERT:

18 Q Good afternoon. Would you please
19 state your name for the record?

20 A Detective Brandon Williams.

21 Q All right. And it's B-r-a-d-o-n?

22 A B-r-a-n-d-o-n.

23 Q And W-y-m-s is the last name?

24 A Yes.

25 Q And is your middle initial D?

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1 A D as in David.

2 Q Does it stand for David?

3 A No, it doesn't.

4 Q What does it stand for?

5 A My middle name?

6 Q Yeah, your middle name.

7 A Demere.

8 Q How do you spell that?

9 A D-e-m-e-r-e.

10 Q My name's Tony Rothert, I'm one of
11 the attorneys representing the plaintiffs in this
12 case against the City of St. Louis.

13 Have you been deposed before?

14 A Yes.

15 Q Do you know how many times you've
16 been deposed before?

17 A I don't know exactly. Several.

18 Q Okay. More than ten or fewer than
19 ten?

20 A More than ten.

21 Q All right. And have you testified in
22 court previously?

23 A Yes.

24 Q Okay. Have you taken any drugs,
25 medications or had any alcohol that would affect

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1 your ability to remember things or testify
2 truthfully today?

3 A No.

4 Q Do you have any medical conditions or
5 other health conditions that would affect your
6 ability to remember things?

7 A No.

8 Q Did you do anything to prepare for
9 today's deposition aside from talking to the city's
10 attorneys?

11 A No.

12 Q Do you work for the St. Louis
13 Metropolitan Police Department?

14 A Yes, I do.

15 Q And what is your rank or position
16 there?

17 A Currently a homicide detective.

18 Q And how long have you been a homicide
19 detective for the St. Louis Metropolitan Police
20 Department?

21 A Since March of 2018.

22 Q Prior to March of 2018, were you
23 working for the St. Louis Metropolitan Police
24 Department?

25 A Yes.

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1 Q And what was your position prior to
2 **March of 2018?**

3 A I was a detective in Special
4 Operations.

5 Q When did you start as a detective in
6 **Special Operations?**

7 A I believe it was 2014.

8 Q And did you serve as a detective in
9 **Special Operations until March 2018?**

10 A Yes.

11 Q Prior to 2014, when you became a
12 **detective in Special Operations, were you employed**
13 **by the Metropolitan Police Department?**

14 A Yes.

15 Q And what was your position prior to
16 **2014 with the Metropolitan Police Department?**

17 A I was assigned to the 8th District
18 and the 9th District.

19 Q And what was your rank or title?

20 A I was a police officer.

21 Q And how long were you a police
22 **officer prior to 2014 for the St. Louis**
23 **Metropolitan Police Department?**

24 A I began January of 2009 as a
25 commissioned officer.

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1 Q Prior to that were you a probationary
2 officer?

3 A Yes.

4 Q When did you begin --

5 A Well, no. January 2009 is when I
6 graduated the academy and became a commissioned
7 police officer. I started the academy in June of
8 2008.

9 Q And the academy you graduated from
10 was the St. Louis Metropolitan Police Department's
11 Academy?

12 A Correct.

13 Q Have you worked for any other police
14 department?

15 A No.

16 Q Other than the Police Academy, have
17 you had any education beyond high school?

18 A I have a Bachelor's in psychology.

19 Q What year did you -- what year did
20 you get your Bachelor's in psychology?

21 A 2007.

22 Q And where did you graduate from?

23 A McKendree University.

24 Q Is that in Lebanon? Or --

25 A Mm-hmm.

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1 Q Lebanon, Illinois?

2 A Yes.

3 Q Besides the Police Academy and your
4 Bachelor's Degree from McKendree, do, you have any
5 other education after high school?

6 A No.

7 Q And did you do any kind of work
8 between graduating from McKendree and starting the
9 Police Academy?

10 A Did I do work?

11 Q Did you work? Did you have a job?

12 A Yes.

13 Q Okay. What did you do during that
14 period from 2007 until you joined the Police
15 Academy in June 2008?

16 A I was a manager at a bar, Big
17 Daddy's. What else did I do. I think my personal
18 training days were done at that point but I think
19 it was just -- I think it was just Big Daddy's that
20 I was doing.

21 Q Where is Big Daddy's located?

22 A I was at the one in Soulard for a
23 period of time and then the one on The Landing when
24 they opened.

25 Q What does -- from 2014 to 2018 you

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1 **were a detective in Special Operations; is that**
2 **right? Special operation unit was it called?**

3 A Yes.

4 Q **What's the Special Operations unit?**

5 A We were tasked of locating and
6 finding violent offenders, you know, your guns,
7 your drugs, we wear plain clothes and unmarked
8 cars, we conducted investigations off of
9 information that we received, whether it be from a
10 CI or from information that we observed ourselves.

11 Q **Okay. Is Luther Hall one of your**
12 **colleagues in that unit?**

13 A No.

14 Q **What unit did he work in, do you**
15 **know?**

16 A He's in intel.

17 Q **How many different units are there in**
18 **the Metropolitan Police Department that have**
19 **detectives?**

20 A I have no idea. There's a lot.

21 Q **All right. Have you ever served on**
22 **something called the documentation team?**

23 A Yes.

24 Q **Okay. Can you tell me what that is**
25 **within the St. Louis Metropolitan Police**

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1 **Department?**

2 A The documentation team was formed
3 after Ferguson in order to have a better way of
4 documenting any further -- any future protests
5 within the St. Louis area. In Special Operations
6 we were given the task of documenting. Since we
7 weren't like the normal patrolmen where you answer
8 radio calls, we were strictly on investigations
9 ourselves that we conducted, so we had, you know,
10 better -- more time to document these things.

11 So yeah, that's, Special Ops, you had
12 documentation team.

13 **Q So does everyone in Special Ops do**
14 **documentation team? Or --**

15 A No, not unless you're told to do it.

16 **Q And are there people outside the**
17 **Special Ops who work on documentation teams or is**
18 **it all Special Ops guys? If you know. If you**
19 **don't know --**

20 A Um, so within Special Ops we have
21 documentation teams but there are also district
22 bureaus, detectives that would do documentation if
23 we're not available, Special Ops, they would
24 document.

25 **Q And you mentioned that the**

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1 documentation team was established after Ferguson.

2 Can you tell me what you mean by Ferguson?

3 A The Ferguson protests.

4 Q Okay. That's what -- you're
5 referring to the protests that occurred in the fall
6 of --

7 A In Ferguson.

8 Q -- in fall of 2014?

9 A Yes.

10 Q I'm going to hand you what we've
11 marked as Exhibit 1. I have a copy for your
12 counsel as well.

13 MS. DUNCAN: Thank you.

14 Q (BY MR. ROTHERT) Is Exhibit 1
15 something that you have seen before?

16 A It looks like the documentation to
17 the businesses that were damaged downtown.

18 Q Okay. And do you see on the first
19 page -- is your name on the first page?

20 A Yes, it is.

21 Q Okay. And what, based on your --
22 what does that mean as far as what your role was in
23 preparing this report?

24 A I authored the report.

25 Q And would that have been as part of

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1 the documentation team?

2 A Correct.

3 Q Okay. So for this report, do you
4 know what date the incidents were that are
5 documented here?

6 A This would have been September 17.

7 Q Of 2017?

8 A Of 2017, correct.

9 Q So as the person who did this report,
10 would you have personally seen and witnessed the
11 damage that you're documenting here? Or would you
12 have found out about it some other way?

13 A For this specifically, I witnessed it
14 and saw it myself.

15 Q Is that always the case when you make
16 a report?

17 A No.

18 Q Now I'm going to hand you Exhibit 2.
19 And there's one for your counsel too. And even
20 though it's thick, it's two-sided. If you take a
21 minute and look at it and see if you can tell me
22 what it is?

23 A It's the report documenting the
24 protests from September 17, 2017.

25 Q And would you have been the author of

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1 this report as well?

2 A Yes, I was.

3 Q Okay. Now, in this -- this is a
4 149-page report?

5 A Yes.

6 Q Would you have personally witnessed
7 or personally known about everything that's written
8 in this report?

9 A No.

10 Q How would you have gotten the
11 information to make this report?

12 A From the officers themselves.

13 Q Okay. And how do you keep track of
14 who told you what about what you put in the report?

15 A Well, it would have been the
16 photographs from when they were arrested with their
17 charge, their name, the location of arrest, and the
18 arresting officer.

19 Q Okay. So when you get to the
20 narrative section, if you would turn ahead to the
21 part marked at the bottom City 00136? You see
22 there's a narrative that continues for -- starting
23 on City 00136 and continuing on 137, 138, 139?

24 A Yes.

25 Q Okay, and so on. Do you know today

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1 **where you got -- or from whom you received any**
2 **specific fact that's listed here?**

3 A It would have been from the
4 individual officers themselves, or any kind of
5 documentation from communications or myself.

6 Q **All right. Were there some**
7 **detectives from the document -- from your team who**
8 **were charged or assigned to use video on that day?**

9 A Yes.

10 Q **And do you know who they were?**

11 A That would have been Jodie Eaton.
12 She was on the documentation team. To say
13 specifically she was in charge of the video
14 recorder, I can't say. Craig Sayer, looks like
15 Woody, as in James Wood. Ryan Gibbons, Chris
16 Childers and Marcus Alston.

17 Q **The -- this Exhibit 2, is this meant**
18 **to document the -- everything that happened related**
19 **to the protests on September 15, 2017?**

20 A No.

21 Q **Or are there other reports?**

22 A It's the document what happened on
23 September 17. This would have started during the
24 day and documented through the night.

25 Q **Are there any other reports that**

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1 **would document anything else that happened in**
2 **protests that day? Or is this it?**

3 MS. DUNCAN: I'm going to object as
4 to vague as to what you mean "that day." Are you
5 talking about September 17?

6 MR. ROTHERT: I am specifically
7 talking about September 17, 2017.

8 A There is an additional report that
9 would document an incident that happened that day,
10 yes.

11 Q **(BY MR. ROTHERT) Okay. Did you also**
12 **author that report?**

13 A No, I did not.

14 Q **Do you know who did?**

15 A It doesn't say specifically in my
16 report but it's under complaint number 17-045966.

17 Q **Can you tell me what page you're**
18 **talking about?**

19 A Page 137.

20 Q **Okay. Other than the incident where**
21 **a -- involving an unmarked police car that you just**
22 **described in that report and this report that's**
23 **Exhibit 2, are you aware of any other reports that**
24 **were prepared regarding protests and the policing**
25 **of protests on September 17, 2017?**

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1 A To the best of my knowledge, no.

2 Q I -- I mentioned a Detective Luther
3 Hall earlier. Do you know who he is?

4 A Do I know who he is?

5 Q Yeah.

6 A I know he's a policeman for the St.
7 Louis Police Department, yes.

8 Q Do you know of any incidents
9 involving him on September 17, 2017?

10 A When you say "of any incident," are
11 you referring to do I have any knowledge of me
12 documenting anything relative to that incident?

13 Q Well, that's the next question. I
14 just want to know if you know of any incidents.

15 A Through hearsay I heard about the
16 incident.

17 Q Okay. And that's not part of your
18 documentation, however?

19 A No, it is not.

20 Q Okay. Why not?

21 A Because I didn't document it.

22 Q And why was it not documented?

23 A Because I had no knowledge of it.

24 Q Okay. Now, you documented
25 information here that you heard from other police

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1 **officers; right?**

2 A Correct.

3 Q So did you have information from
4 **other police officers about Luther Hall?**

5 A No, I did not.

6 Q Where did you get your information
7 **about Luther Hall if not from other police**
8 **officers?**

9 A I didn't have any information
10 relative to Luther Hall.

11 Q Do you have any information now?

12 A No, I don't.

13 Q What hearsay did you have then?

14 A Just that there was an incident that
15 had happened with a undercover policeman.

16 Q Do you know what's happened to the --
17 or what happens to the videos that you take as part
18 of the documentation team when there's an incident
19 like this?

20 So let's just use September 17, 2017,
21 as an example. What happens to the recordings that
22 are taken?

23 A It's seized as evidence.

24 Q And are they seized as evidence even
25 if nothing happens and there's no arrest? Or just

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1 an occasion where there's been an incident?

2 A That, I don't know.

3 Q Do you know how many people from the
4 team you were working with were recording video on
5 September 17, 2017?

6 A We had two cameras, so I would assume
7 there was two people recording.

8 Q And did you review those videos in
9 their entirety?

10 A Yes.

11 Q In reviewing those videos, did you
12 see any activity by any police officers that you
13 thought could be criminal?

14 A To the best of my knowledge, no.

15 Q In reviewing those videos, did you
16 see any police officers chanting?

17 A During the video?

18 Q In any of the videos, yeah.

19 A To the best of my knowledge, no.

20 Q Was September 17, 2017, the only
21 protest in the fall of 2017 that you served on the
22 documentation team for?

23 A I don't know.

24 Q Do you recall how many times since
25 let's say since 2000 -- well, since the

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1 documentation team has existed, since 2014, do you
2 recall how many times you've served on the
3 documentation team for a protest?

4 A Several times.

5 Q More than five or less than five?
6 Fewer than five?

7 A I can't give you a specific number.
8 There was an influx of protests; therefore, we had
9 a lot of documenting that we had to do. I wasn't
10 always on the documentation team but if I was
11 chosen, I handled the duties as given. I can't
12 tell you specifically how many times.

13 Q Okay. Do you remember, fewer than a
14 hundred times?

15 A Yes.

16 Q Fewer than fifty?

17 A I don't know.

18 Q I don't need an exact number but --

19 A I don't know.

20 Q If you could look at Exhibit 1 again
21 for a moment? What do you have listed there for
22 the Type of Incident?

23 A "Property Damage 1st" and
24 "Impeding/Interfere/Fail to Disperse Pedestrian and
25 Vehicle Traffic."

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1 Q Can you explain what you mean in this
2 report that would be property damage in the 1st
3 degree?

4 A The damage to the businesses, broken
5 windows, the big planter, flower pots that were
6 damaged. For property damage, I can't remember the
7 exact cost now but it had to exceed a certain
8 amount in order for it to be damage, Property
9 Damage 1st.

10 Q Do you know what the amount is that
11 it has to be?

12 A Now, I don't know.

13 Q Okay. And then what in this report
14 had to do with impeding or interfering of failing
15 to disperse related to pedestrian or vehicular
16 traffic?

17 A Say it again?

18 Q You also had impeding or interfering
19 with traffic --

20 A Right.

21 Q -- on this report. What in this
22 report has to do with that?

23 A You're referring just to Exhibit 1?

24 Q Yes.

25 A There's nothing in here as far as

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1 impeding. These are just a list of the businesses.

2 **Q Okay. Now am I correct, if you look**
3 **at Exhibit 2, those same businesses are listed**
4 **again as victims; is that correct?**

5 A Yes.

6 **Q Is this -- is Exhibit 2 a supplement**
7 **of Exhibit 1? Or do you know how they relate**
8 **together, or why there's two reports?**

9 A They are the same report number.
10 When you print off the report, you have to go in
11 and physically put into iLeads the business
12 themselves with the property that was damaged in
13 order for it to show up correctly through the
14 system. It's just the way the system works, how
15 you put it in there.

16 So they're both the same complaint
17 number and, as you saw, it's in the Victim screen
18 but just shows just the businesses in this one,
19 which would be your Property Damage 1st.

20 **Q And you mentioned iLeads, can you**
21 **explain what that is? It's letter i-L-e-a-d-s?**

22 A Correct. It's a report writing
23 system that we use.

24 **Q If you could, on Exhibit 2, turn to**
25 **page City 00137.**

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1 A Okay.

2 Q And on the second full paragraph
3 there it says, "At 2006 hours the above crowd of 75
4 to 100 people began walking on east Olive from 19th
5 Street."

6 Do you see that?

7 A Yes.

8 Q Is that something you personally
9 observed?

10 A I don't recall.

11 Q Okay. And then it says, "The
12 protestors continued walking eastbound on Olive and
13 while at 14th Street began destroying barricades in
14 the middle of the street and throwing folding
15 chairs."

16 Is that something you personally
17 observed?

18 A I don't recall.

19 Q Do you know who would have told you
20 this information if -- if you did not personally
21 observe it?

22 A No.

23 Q Would there be a way, would you have
24 any notes that you could go back and figure that
25 out? Or --

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1 A I don't have the notes anymore, no.

2 Q There's also a sentence that says,
3 "The protesters began to cover their faces with
4 shirts and masks, which is usually an indication of
5 an intent to engage in criminal activity."

6 Do you know if that was something you
7 personally observed?

8 A No, I didn't.

9 Q Can you look through the rest of this
10 narrative and tell me what's in it that you
11 personally observed?

12 A No, I can't.

13 Q Would you be able to tell me for
14 things that you don't know, if you personally
15 observed, who told you about them? I know you have
16 statements from specific people but other than
17 statements, would you know who told you?

18 A No, I don't.

19 Q Were you involved as part of the
20 documentation team on September 15, 2017?

21 A Yes.

22 Q Did you write a report for September
23 15, 2017?

24 A No.

25 Q What was your role on September 15,

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1 **2017?**

2 A I was the documentation team.

3 Q **What did you do on the documentation**
4 **team on September 15 --**

5 A I don't recall.

6 Q **-- 2017? You have to let me get the**
7 **whole question out, so I'll ask it again.**

8 A Okay.

9 Q **What did you do on the documentation**
10 **team on September 15, 2017?**

11 A I don't recall.

12 Q **Were you part of the documentation**
13 **team on September 16, 2017?**

14 A To the best of my knowledge, yes.

15 Q **And did you write a report on**
16 **September 16, 2017?**

17 A No.

18 Q **What was your role on the**
19 **documentation team on September 16, 2017?**

20 A If I was on the documentation team, I
21 don't recall what I did that day.

22 Q **Are you sometimes the person who**
23 **operates the camera?**

24 A Yes.

25 Q **Were you the person operating the**

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1 camera with Sergeant Rossomanno's group on
2 September 15, 2017, at, on Euclid Street in the
3 evening?

4 A I -- I have no idea. What you have
5 to understand with the documentation team is that
6 we are assigned to the documentation team but then
7 our specific duties, when we get out there, is just
8 what needs to be done.

9 Q Okay. Who -- who tells the
10 documentation team what needs to be done?

11 A We tell ourselves.

12 Q Okay. So who -- I mean, who says
13 you're writing the report today and you're going to
14 record today?

15 A It's just a -- I don't even know how
16 to put it. I would write one day, Jodie would be
17 responsible the next day. Craig would be
18 responsible the next day. It was a line of, you
19 know, who was going to write when. If you're not
20 writing, you're filming, photographing, doing
21 whatever needs to be done.

22 Q And -- and you said earlier that you
23 come in as the documentation team when you're
24 called in, or when you're called up to do it; is
25 that right?

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1 A We're assigned to it, yes.

2 Q Who is it that calls you in?

3 A Well, we have a roll call with the
4 CDT team and the -- it's pretty much told that
5 you're on the documentation team and you're
6 documenting. If there are any mass arrests.

7 Q When you say "CDT team," does that
8 stand for civil disobedience team?

9 A Yes.

10 Q And what's the civil disobedience
11 team?

12 A I don't know. I'm not a part of it.

13 Q Okay. What's your understanding of
14 what it is?

15 A They handle protests.

16 Q Okay. And did you attend the civil
17 disobedience team briefing on September 17, 2017?

18 A Yes.

19 Q Where was that held?

20 A I don't want to get name wrong, but
21 it's the place on Hampton. I can't remember if
22 it's the electrician hall or called something else,
23 but that's what I think it is, to the best of my
24 knowledge.

25 Q Like at 44 and Hampton? Or --

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1 A Just to the south of 44.

2 Q And at the briefing that day, do you
3 remember who spoke to the group?

4 A No, I don't.

5 Q Did the acting chief speak to the
6 group?

7 A I don't recall.

8 Q Do you recall there being any
9 chanting at that briefing?

10 A I don't recall.

11 Q Do you remember any chanting of
12 "Whose streets, our streets" being chanted that day
13 at that briefing?

14 A I don't recall.

15 Q Do you recall the acting chief
16 leading such a chant that day?

17 A Who was the acting chief?

18 Q O'Toole.

19 A No, I don't recall. If I'm not
20 mistaken, that was September 17th. So the briefing
21 would have been earlier in the day; correct?

22 Q I -- I don't know. Would the
23 briefing ordinarily be earlier in the day?

24 A Yes, it would have.

25 Q When you're acting as part of the

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1 documentation team, is your -- do you actively --
2 are you actively ferreting out crime and arresting
3 people, or are you just observing?

4 A Just observing.

5 Q And is that what you did in September
6 of 2017 any time you were on the documentation
7 team? Did you make any arrests or were you merely
8 observing?

9 A I was merely observing but if you
10 note throughout the report itself it has me as
11 arresting officer. That is solely because in
12 iLeads again you cannot put a person into the
13 system without having an arresting officer. If
14 they work for St. Louis County, the Highway Patrol,
15 they cannot be an arresting officer, therefore,
16 that is my name that's on the report.

17 Q Okay. You're one step ahead of me
18 here so this is very helpful. Okay. So when it
19 says you're the arresting officer, it wasn't
20 because you were really the arresting officer, it's
21 because it was someone who is not -- that would
22 signal to you that it was someone who is not part
23 of the St. Louis Metropolitan Police Department?

24 A Correct.

25 Q Is there a record somewhere of who

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1 the actual arresting officer is?

2 A To the best of my knowledge, no.

3 Q Are you aware if there's any record
4 of what police officers who are not a part of the
5 St. Louis Metropolitan Police Department
6 participated in the September 17, 2017, policing?

7 A No.

8 Q Do you know what departments other
9 than St. Louis Metropolitan Police Department had
10 officers participating in the September 17, 2017,
11 policing, protesting?

12 A St. Louis County and Missouri Highway
13 Patrol.

14 Q Any others that you know of?

15 A Not that I know of.

16 Q How does it work when police officers
17 from another jurisdiction are helping out, or
18 policing in the City of St. Louis? Who is in
19 charge of them?

20 A I don't know.

21 Q Speaking specifically of Exhibit 2,
22 did you personally witness any of the arrests that
23 you document in here in this report?

24 A To the best of my knowledge, no.

25 Q And that evening did you observe any

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1 **police officers chanting?**

2 A To the best of my knowledge, no. I
3 was too focused on having over 120 people arrested
4 and booking them, getting property, figuring out
5 what they were arrested for, to worry about
6 listening to some chants.

7 Q **And you didn't participate in any**
8 **chants certainly?**

9 A No, I did not.

10 Q **Do you know -- well, I was**
11 **specifically going to ask about the arrests that**
12 **are attributed to you, but since now I know you**
13 **didn't do those, do you know who decided what --**
14 **what the charges were for any of the people who**
15 **were arrested?**

16 A The arresting officer would have
17 given me that information. That's how it's
18 documented as to where they're -- where they were
19 arrested at, the arresting officer's name, and the
20 arrested person's name.

21 Q **I note that some people who were**
22 **arrested had guns; is that correct?**

23 A Yes.

24 Q **Were any of those guns unlawfully**
25 **possessed?**

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1 A I don't know.

2 Q Do you know if charges were pursued
3 against any of the people who were arrested on
4 September 17, 2017?

5 A Impeding, interfere, fail to
6 disperse, pedestrian and vehicle traffic.

7 Q Do you know if any of those charges
8 were pursued by the prosecutor's office?

9 A I don't know.

10 Q Does the documentation team work
11 exclusively with the civil disobedience team? Or
12 would it -- could you also be called in by other
13 teams?

14 A What other teams are you referring
15 to?

16 Q The S.W.A.T. Team, for instance.
17 Would they ever call you in? Or -- just in your
18 experience.

19 A There would have to be a protest in
20 order for the documentation team to be called in.

21 Q Are you still on the documentation
22 team now that you -- since March 2018?

23 A No.

24 Q Did you observe any injuries on any
25 of the people who were arrested on September 17,

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1 **2017?**

2 A I don't recall.

3 Q You did look at the pictures of all
4 **the arrests?**

5 A Yes.

6 Q Does anyone approve your report
7 **before it's final?**

8 A Yes.

9 Q Who approves your reports?

10 A For this incident specifically, it
11 would have been Timothy Schumann and Timothy Sachs.

12 Q And who is -- who is Timothy
13 **Schumann?**

14 A He was the sergeant of the
15 documentation team that day.

16 Q And who is Timothy Sachs?

17 A He would have been the commander of
18 S.W.A.T. at the time? I believe so.

19 Q Okay. So would he have been one
20 **notch up over Schumann?**

21 A Yes.

22 Q Did either of those -- they're both
23 **named Timothy; is that right? Timothy Schumann and**
24 **Timothy Sachs? Okay.**

25 Did either Mr. Schumann or Mr. Sachs

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1 **require you to make any, or ask you to make any**
2 **changes to your report?**

3 A Yes.

4 Q Do you recall what changes they asked
5 **you to make to your report?**

6 A No.

7 Q Just to clarify, when I'm asking you,
8 **that was about Exhibit 2 that we were talking**
9 **about?**

10 A As far as the corrections?

11 Q **Yes.**

12 A Yes.

13 MR. ROTHERT: I don't have any other
14 questions.

15 MS. DUNCAN: I have nothing.

16 MR. ROTHERT: Okay. So --

17 MS. DUNCAN: We'll read. You have
18 the opportunity to review your deposition or to
19 waive signature. In this case I would suggest that
20 you read and review it.

21 THE WITNESS: Review it?

22 MS. DUNCAN: Mm-hmm.

23 THE WITNESS: All right. I'll review
24 it.

25 THE REPORTER: What format do you

1 like your transcripts in?

2 MR. ROTHERT: E-tran and then a full
3 page paper and pdf.

4 MS. DUNCAN: We'll -- I'll do an
5 E-tran. That will be sufficient.

6 (Wherein, the taking of the instant
7 deposition ceased at 3:37 p.m.)

8 (Deposition to be read and signed by
9 the witness.)

10

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1 CERTIFICATE OF REPORTER

2

3 I, TARA SCHWAKE, a Registered
4 Professional Reporter and Notary Public within and
5 for the State of Missouri, do hereby certify that
6 the witness whose testimony appears in the
7 foregoing deposition was duly sworn by me; that the
8 testimony of said witness was taken by me to the
9 best of my ability and thereafter reduced to
10 typewriting under my direction; that I am neither
11 counsel for, related to, nor employed by any of the
12 parties to the action in which this deposition was
13 taken, and further that I am not a relative or
14 employee of any attorney or counsel employed by the
15 parties thereto, nor financially or otherwise
16 interested in the outcome of the action.

17

18

19

20

Notary Public in and for

21

The State of Missouri

22

23

24

25

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1 ALARIS LITIGATION SERVICES

2 January 10, 2019

3 OFFICE OF THE CITY COUNSELOR
4 1200 Market Street, Room 314
5 St. Louis, Missouri 63103
6 Ms. Abby Duncan

7 IN RE: MALEEHA AHMAD, et al. v. CITY OF ST. LOUIS,
8 MISSOURI

9 Dear Ms. Duncan,

10 Please find enclosed your copies of the deposition of
11 BRANDON WYMS taken on January 4, 2019 in the
12 above-referenced case. Also enclosed is the original
13 signature page and errata sheets.

14 Please have the witness read your copy of the
15 transcript, indicate any changes and/or corrections
16 desired on the errata sheets, and sign the signature
17 page before a notary public.

18 Please return the errata sheets and notarized
19 signature page within 30 days to our office at 711 N
20 11th Street, St. Louis, MO 63101 for filing.

21 Sincerely,

22
23 TARA SCHWAKE, CRR, RPR, CCR, CSR

24
25 64276

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1 ERRATA SHEET
2 Witness Name: BRANDON WYMS
3 Case Name: MALEEHA AHMAD, et al. v. CITY OF ST. LOUIS,
4 MISSOURI
5 Date Taken: JANUARY 4, 2019
6
7 Page #_____ Line #_____
8 Should read: _____
9 Reason for change: _____
10
11 Page #_____ Line #_____
12 Should read: _____
13 Reason for change: _____
14
15 Page #_____ Line #_____
16 Should read: _____
17 Reason for change: _____
18
19 Page #_____ Line #_____
20 Should read: _____
21 Reason for change: _____
22
23 Page #_____ Line #_____
24 Should read: _____
25 Reason for change: _____
26
27 Witness Signature: _____

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1 STATE OF _____)

2

3 COUNTY OF _____)

4

5 I, BRANDON WYMS, do hereby certify:

6 That I have read the foregoing deposition;

7 That I have made such changes in form

8 and/or substance to the within deposition as might

9 be necessary to render the same true and correct;

10 That having made such changes thereon, I

11 hereby subscribe my name to the deposition.

12 I declare under penalty of perjury that the

13 foregoing is true and correct.

14 Executed this _____ day of _____,

15 20____, at _____.

16

17

18

19

20

BRANDON WYMS

21

22

23

NOTARY PUBLIC

24 My Commission Expires:

25

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